Capital paid up in U.S. Assets .....\$ 12,23±,948 25 Liabilities exclusive of capital and net surplus INcome 6.804.856 63

Premiums ...... Other sources ..... 461,602,88 Total income 1905..... 7,266,459 51 Expenditures

Losses ..... .519,143 50 Dividends, none in the U.S. Other expenditures ... 2,277,920 00 Fire Business 1905 Risks written ...... 998,746,932 00

Premiums thereon .... 10,955,269 43 Losses incurred..... 3,455,760 33 Nevada Business 553,985 10 Risks written ...... 18,085 35 Premiums received .... 3.255 . 0 Losses paid ..... Losses incurred .....

GEO H. MOORE, Sear.

0.0-ANNUAL STATEMENT of Toronto, Canada. Assets .....\$2,456,786 28 Liabilities, exclusive of capi-Income Premiums ..... 2,458,857 49 Expenditures Other expenditures ..... 846.145 92 Total expend.cures 1.05 2,389,609 09 Business 1905 Nevada Business Risks written ...... 79,643 00 rred ..... 1,335 : C. C. rOS1ER, Secty. ----

# ANNUAL STATEMENT

Of the National Surety Co of N.v York, N. Y. Wm. B. Boyce, President Samuel H. Shriver, Sec'y. Capital deposited .....\$ 500,000 0 Assets ..... Income Liabilities, exclusive of capi-Premiums ..... 1.211,021 61 Other sources..... Total income 1905..... 1,348,562 66 Expenditures Paid policy holders .... Other expenditures.... Total expenditures .... Business 1905 Premiums thereon.... Losses incurred Nevada Business Amt. of risks written ... Premiums received.... Amt of said policies ... GILBERT CONGDIN, asst. sery

# ANNUAL STATEMENT

Of the Mutual Life Insurance Com-

pany of New York Liabilities .......... 470,861,765 90 Income for 1905..... 85,064,992 88 Disbursements 1905 Paid policy holders... 35,643,185 47 Paid on all other accounts. ...... 15,329,781 80 Adjustment of Real Estate valuations June 30..... 5,000,000 00 Total disbursements.... 55.972.967 27 Nevada Business Number of risks written Amount of risks written and paid for ..... 114,805 00 Premiums received ..... 71.020 30 Losses and claims paid... 19.486 13 Losses and claims incurred 32.486 1.5 Policies in force Dec. 31, 1905 859 Amt of same ...... 1,783,880 90 W. J. EASTON, Secty.

## OFFICIAL COUNT OF STATE STATE OF NEVADA.

-0-0-

County of Ormsby, s. s. John Sparks and W. G. Douglass being first duly sworn say they are members of the Board of Examiners of the State of Nev., than on the 27th day of Feb "S they, (after having ascertained from which may be done in chambers at the books of the State Controller the amount of money that should be in the Treasury) made an offcial examination and count of the money and vouchers for money in the State Treasury of Nevada and found the same correct as follows:

257.242 50 Coin Paid coin venchers not returned to Controller 40.911 76

298,154 90

1. Total State School Fund Securities. Irredeemable Nevada State 380,000 00 School bond Mass. State 3 por cent 537,000 00 Nevada State Bonds 203,700 00 Mass. State 31/2 per cent 313,000 00 bonds United States Bonds 215,000 00

1,996,854 66 Total W. G. Douglass John Sparks Subscribed and sworn before me this

27th day of Feb., A. D. 1906. J. Doane. Notary Public, Ormsvy County, Nev

Custom suits and overcoats will be sold at reduced prices-and reasonable time given for payment. No advantage in waiting-put in

before Christmas.

CHAUNCEY LATTA.

Ebenezer Twaddle and Ebenezer Twaddle as Special Admr., of the Estate of Alexander Twaddle, de-

STATE OF NEVADA.

Plaintiffs and Respondents

IN THE SUPREME COURT OF THE

Theodore Winters, A. C. Winters, L. W. Winters and Samuel Longa-

Defendants and Appellants From 2d Judicial District Court, Washoe County.

Messrs. Cheney and Massey, attorneys for Plaintiffs.

Alfred Chartz, attorney for Defend-

DECISION The respondents have moved to dismiss the appeal from the judgment because it was not taken within one year, and to dismiss the appeal from the order of the district court denving 8,255 to appellants motion for a new trial, also to strike from the records the statement on motion for a new trial, upon the ground that the statement was not filed within the time prescribed by law. The appeal from the judg-Of the Western Assurance Company ment is dismissed because not taken until March, 1905,, more than one year after its rendition on June 23, 1903. On that day Judge Curler of tal and net surplus.... 1,707.194 10 the Second Judicial District court who had tried the case at Reno and rendered the decree, made in open Other sources .......... 71,450 25 court and had entered in the minutes Total income 1905 ..... 2,530,307 74 an order "that all business and all cases and proceedings that have not been completed or in the process of completion, and all new business that may be brought before the court during the absence of the presiding judge. Risks written ....... 3.404.284 95 be referred to Judge M. A. Murphy Losses incurred ...... 1,141,438 cl of the first judicial district court of the State of Nevada, and that he be requested to try, determine and dis-Premiums received ..... 2.280 to pose of all cases and business now before the court in the absence of the

Pursuant to this request Judge Mu"phy occupied the bench in Reno until July 31, 1963, when a recess was taken until a further order of the court There was no other session until Judge Curler's return on August 17th. On July 17th, Judge Murphy, in open court in Reno, made an order allowing plaintiff until August 15th in 2,216,713 38 which to file objection to findings. and prepare additional findings.. On August 3d Judge Murphy at Carson tal and net surplus.. 1.276,553 1; City, and within his own first judicial district, by an ex parte order made without affidavit of Judge Cur- opening court to enter ex parte orders ler's absence or inability, granted the simply extending time, such as are defendants until September 15, 1903. 452,628 92 within which to prepare, file and 612,402 62 serve their notice and statement on from the order overruling the motion 1,065,030 64 motion for a new trial. Later extent for a new trial and to strike out the sions were made by Judge Curler, but statement is denied. Risks written ...... 424,727,956 (a) whether they are effectual depends 1,438,270 45 upon this order, which respondents claim Judge Murphy was unauthorized to make under Section 197 of the 31,500 on Practice Act which provides in regard 159 50 to notices and statements on motions 139 60 for new trial that 'the several periods of time limited may be enlarged by the written agreement of the parties, or upon good cause shown, by the court, or the judge before whom the case is tried," and under district court rule XLIII which directs that "no judge, except the judge having charge of the cause or proceeding shall grant further time to plead, move, or do any act or thing required to be done in any cause or proceeding, unless it be shown by affidavit that such judge is absent from the state, or from some

> other cause is unable to act." Rule XLI provides: "When any district judge shall have entered upon the trial or hearing of any cause or proceeding, demurrer or motion, or made any ruling, order or decision therein, no other judge shall do any act or thing in or about said cause, proceeding, demurrer or motion, unless upon written request of the judge who shall have first entered upon the trial or hearing of said cause, proceed-

ing demurrer or motion." Section 2573 of the Compiled laws. passed after section 197 of the Practice Act as quoted, enacts: "The dis-FUNDS, trict judges of the State of Nevada shall possess equal coextensive and concurrent jurisdiction and power. They shall each have power to hold court in any county of the State. They shall each exercise and perform the powers, duties and functions of the court, and of Judges thereof, and | Liabilities, exclusive of capiof Judges at Chambers. Each judge shall have power to transact business any point within the State. All of Other sources ...... this section is subject to the provisions that each judge may direct and control the business in his own dis- Losses trict, and shall see that it it properly Dividends ..... performed."

We think under the minute order and circumstances related, the power inherent in Judge Curler to extend Risks written ...... 562,246,792 00 the time of filing the notice and state- Premiums theron .... 5,249,402 06 ment became conferred upon Judge Losses incurred ..... Murphy during the former's absence, and that Judge Murphy became the Judge in charge, endowed with the authority to grant the extension without Losses incurred ..... the presentation of the affidavit showing the absence or inability of Judge Curler, as the rule requires before the order can be made by a Judge not

having the business in charge. Judge Curer's absence was presumed to continue until his return was shown and consequently Judge Murphy's authority based upon that absence would likewise continue. It is said that under the first statute mentioned, the language that "the court or judge before whom the case was tried" may extend the time invalidates the order, because Judge Murphy was not the judge before whom it was tried, and that he was not the court after he returned to Carson City. where he made the order. In a nar row technical sence this may be true. if we do not look beyond the strict your order and receive your goods letter of the statute. But not so if the enactment, and construe it in the Premiums received ..... 17,742 19 Losses incurred ...... none ating on Ceda light of reason as applied to the or- WILBUR S. WYM, Secretary. B. W. GLADWIN, Secretary of February.

dinary rules of practice, and give due ently the object of this legislation was to prevent the granting of extensions were not properly under their control. inability of the judge who tried the and France . Whiles of Carson,

court it would have been good, but under this contention if he had stepped Orders extending the time for filings second is to be conveyed to points are business usually, or properly in N E 14 of S W 1/4 of section 11, transacted in chambers and under T 15 N R 19 E., by means of a flume shall carry on or conduct any bank- charge and make all assangements. made as effectually in any part of the electrical power. The construction State by the judge having the case in of said works shall begin before June charge, as if made by him in cham- 1, 1906, and shall be completed on or bers or in open court. Judge Murphy before June 1, 1987. The water shall was merely acting for Judge Curler be actually applied to a beneficial use during his vacation, but by analogy the construction claimed if adopted. would, in every case where a district judge dies, resigns or is succeeded. invalidate the orders extending time under section 197 made out of court by his sucessor in office, although they are of that character ordinarily granted in champers. This would mean a distinction and two rules for filing orders of the same kind and that the judge who had tried the cause as Judge Curler had done in this instance, could make the order in chambers, while his successor could so make it only in the cases tried by him, and would have to be in court to make these simple orders extending time in actions which had been

previously tried by another judge. Appellants desired and were enticled to the time granted for the purpose of enabling them to secure from the court reporter who had left the State, a transcript of the testimony given on the trial, which would enable them to properly prepare the state-

ment. Under Section 2573 Judge Curler could have made an order granting them the extension at any place in the State, and as during his absence Judge Murphy was requested by the Court minutes to attend to all business for him, we conclude that he was empowered to make the order at Car son City as he did, and as Judge Culer could have done and that it was not necessary for him to make the trin to Reno and undergo the formallty of usually made out of court.

The motion to dismiss the appeal Receipts ...... \$132,652 60

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ANNUAL STATEMENT Of The Munich Re Insurance Co, Of Of The Germania Life Insurance Com-Munich, Bavaria. United States department, 346 Broadway New York Deposit with Ins. Department, New York ...... \$ 200,000 00 Deposit with United States Trustees ..... 3,056,000 00 4.097.095 00 Assets ..... Liabilities, exclusive of capital and net surplus .. 2.807.874 27 Income 3,413,629 15 Reinsurance premiums Other sources ..... Total income, 1905 .... Expenditures Losses ..... 2,049,052 85 Dividends ..... none Other expenditures ... 1.113,257 47 Total expenditures, 1905- 3,186,310 32 Business 1905 Risks written ...... 340,495,386 90 Reinsurance premiums there-4.261,697 18 Losses incurred ...... 2.282.499 85 Nevada Business Reinsurances accepted from Companies authorized to do business in Ne-

O. EHMANN, Asst. -0-0-ANNUAL STATEMENT Of The North British & Mercantole Ins. Co., Of London & Edinburgh. For the year ending December 31, 1905 Deposited in United States ...... 200,000 00 Assets ..... 6,677,905 17 tal and net surplus . 3,738 374 51 Income 212,315 15 Total income, 1905 . . . 4.072,543 50 Expenditures 1,889,488 41 none Other expenditures ... 1,339,115 72 Total expense ...... Business 1905 1.861.090 36

Nevada Business Premiums received .... 3.930 70 1,834 52 Losses paid ..... 2.184 52 TOM G. GRANT, Gen'l Ag'. -0-0-ANNUAL STATEMENT Of the State Insurance Company of Of the State Life Insurance Company of Indianapolis, Indiana. Capital (paid up) ...... Assets ......\$4,126,682 20 Liabilities, exclusive of capital and net surplus .. 3,521,365 Income Premiums ...... 2,521,357 10 Total income, 1905 .... 2,729 911 96 Expenditures Osses ...... 636,594 2 Dividends ..... none Other expenditures .... 1,125,693 07 Total expenditures, 1905 . 1.762,287 32 Risks written ...... Nevada Business we consider the intent and purpose of Risks written ....... 433,500 30 Losses paid ......

weight to the later section. Appar- Notice of Application for Permission

the Stale of Nevada. and yet in the case of the absence or Statutes of 1205, on the by Mighels | City are means on or before June 1, 1908. Signed:

#### HEN Y THURTELL, State Engineer

TOURIST EXCURSION PARTIES TO of said games are carried on in the I beg to advise my patrons that the

Over the Scenic Line of the World. If you are going east and want to save money, yett ravel with pleasure and comfort it will pay you to invest our personally conducted tourist excursions. The parties are in charge of a Manager who accompanies the cars through t oSt. Louis, Chicago and the Atlantic Coast and gives his personal attention to the welfare of each passenger in his charge. The sel, idules are arranged so you pass through the world-ramed scenery on the Denver and Rio Grande Railroad by daylight. Opentop Obeservation cars (something entirely new) are free to all passengers. Let us know where you are going and we will be glad to give you full information about your trip, the lowest rates of fare and send you free of charge some handsome illustrated books of travei W. J. SHOTWELL,

General Agent 625 Market Street, San Francisco, Car.

### V9V---ANNUAL STATEMENT Of Business of the Nevada Co. for 1905 Disbursements ....... 147,864 57 X. M. Hiskey, Cashier

#### \_\_\_\_\_\_\_\_\_ ANNUAL STATEMENT

ANNUAL STATEMENT pany of New York. Capital (paid up) ....: \$ 200,000 00 New York. Assets ..... Liabilities, exclusive of capital and net surplus ... 30,823,487 co Liabilities, exclusive of capital and net surplus Income Income Premiums ..... 4.696,455 32 1.579.206 48 Premiums ..... Other sources ..... rotal income, 1905 ... 6.275,661 80 Other sources ...... Total income, 1905 Expenditures Expenditures Losses & Matured Endowments ...... 2,530,889 yr. Losses ...... 314,162 56 Dividends ..... 173,956 59 Dividends ..... 3.587,585 74 Other expenditures ... 1.811.713 6. Other expenditures . Total expenditures, 1905 4.656.766 17 Total expenditures, 1905 Business 1905 business 1905 Risks written ...... 14.462.832 nn Risks written ...... 1,116.102.632 71 641,053 78 Premiums thereon ... Premiums for first year Death losses paid ..... 1,437,452 to Losses incurred ..... Nevada Business Nevada Business 15,300 00 Risks written ...... Risks written ..... 6.484 68 Premiums received Premiums received ..... 1,000 00 Losses paid ..... --- ·K /----1.000 90 Losses incurred ANNUAL STATEMENT G. HOYT, eScretary. -500

Of The National Life Ins. Co., Of The U. S. of A. Home office, 159 La Salle street. Chicago, Ill. Capital (paid up) ....\$ 1,000,000 to Assets ..... 6,092,500 46 Liabilities, exclusive of canttal and net surplus . . . 4,988,396 60

Premiums ..... 1.730,567 47 Other sources ......... 275,007 15 Total income, 1905 .... 2.005,574 58 Expenditures Lesses ...... 351.485 76 Dividends ..... 1.917,651 81 Other expenditures .... Total expenditures, 1905 1,370,605 27 Business 1905 Risks written ...... 15.211.749 95 Premiums thereon ..... 395,218 00 3,228,604 13 | Losses incurred ...... 347,532 18 Nevada Business

Income

ANNUAL STATEMENT

12,000 00 Policies 5 amount .... ROBETR D. LAY, Secretary W. W. OLDS, Manager, Reno, Nev.

# ANNUAL STATEMENT

Of The Home Life Ins. Co., Of New York, New York. Capital (paid up' .... \$ 125,000 90 Assets ...... 17,886,594 88 Liabilities, exclusive of capital and net surplus ... 16,682,194 \* Income Premiums .......... 3.211,142 68 Other sources ...... 829,260 to Total income, 1905 .... 4,040,403 43 Expenditures Losses and claims .... 1,176,506 °2 Dividends ..... 270,227 50 Other expenditures .... ther sources ......... 208,553 96 Total expenditures, 1905 2,669,440 25 Business 1905 Risks written ...... 12,698,429 or play her outfit to ony one who is in-Premiums thereon ..... 759,291 95 Losses incurred ...... Nevada Business Premiums received ... 8.452 \$ 2,500 00

## ORDINANCE NO. 172.

to App corrate the Public Waters of Or. Ordinance for the Licensing of Games and Gibb ry Devices in Carson Ctv.

ther device, whether the same be \$80.00. played with money, checks, credit cr | Pullman berth rate to City of Mexany other value to thing or represented, \$12.00. sentative of value, shall pay for and For further information address taobtain a city fice the to carry on such formation Bureau, 613 Market street, game, and shall pay or each license San Francisco Cal. twenty-five dolla : (\$25,00) per month provided ,that when more than one ly licensed; and provided further, ther notice: that the license imposed by this Orfinance is for the revenue only, and will be sold for 60 cents. not for the purpose of prohibition. Seven inch records formerly 50c. suppression or regulation.

Section 2. The provisions of this fer. Ordinance shall apply to all time m and after October 1, 1905.

Section 3. Ordinance Number 59 Notice is hereby given that any nance are herby repealed.

tres of Carson City, Nevada.

#### H. B. Van Etten, Clerk.

Ho. For the West..

Tell your friends that the colonist rates are going into effect March 1st. 1905 and expire May 15, 1905. The rate from Chicago, Ill, \$31.00, St. Louis Mo., New Orleans, La., \$20 00, Council Bluffs Ia., Sieux City, Ia., Omaha, Neb., Kansas City, Mo., Mineola, Texas and Houston Texas, \$25.00. Rates apply to Main Line points in California and Nevada.

## -----

Of The Fidelity and Casualty Co., Of 7,500,842 55 372,726 46 5,718,713 60 95 000 00 2.954.147 89 5.135.415 14 42 33 ROBERT J. HILLAS, Secretary

Of The Continental Casualty Company Of Hammond Indiana. General office, Chicago, lills Capital (paid up) .....\$ 300,000 09 Assets ...... 1.708,611 28 Liabilities, exclusive of capital and net surplus .. 1,157,641 70 Premiums ..... 2,129,749 63 Expenditures Losses 993 904 N Dividends ..... 16,500 00 Other expenditures .... 1.113.131 64 Total expenditures, 1905 2.123,536 4 Business 1905 1,467 10 Risks written ..... Premiums ..... 2,633 875 23 Losses incurred ...... 1,009,644 S1 Nevada Business Risks written ...... Premiums received ..... Losses paid .....

# Learn Art Embroidery

---

A. A. SMITH, secretary,

Losses incurred .....

8.544 all

8 634 5

Miss Gray Davis, whose skill in embroidery is well known, will give Co. School Dist, 3, fund .... 190 2615 instruction in montmellick, shadow Co. School Dist. 3, fund.....425 55 and eyelet embroidery. She has all State School Dist. 1, fund. . . 1608 06 the materials and designs for stam, ing shirt waists, corset covers, hant- State School Dist. 2, fund...371 39 kerchiefs and other articles.

wearing the new lingerie hats, which Agl. Assn. Fund A...........680 824 apply at once to Miss Davis.

Miss Davis will start art pieces for Co. School Dist. fund - special pupils and instruct them how to daish them. She will be pleased to dis-681,869 of terested in art work.

Stamping of all kinds done to order

The Sierra Nevada mining company received \$2,722.67 from leasers operating on Cedar Hill during the month

SPECIAL EXCURSION FROM SAN FRANCISCO TO CITY OF MEXICO AND RETURN. DECEMBER 16th.

A select party is being organized by with Section 23, Chapter XLVI, of the The Hoat of the sees of Carson the Southern Pacific to leave Say Francisco for Mexico City, December action, to grant relief, or allow ex- County of Ormsby and State of Ne firm, con page who then the distribute sleepers and dining car, and Engineer of Nevasia for permission to clatten within the limits of Carson the way on going trip. Time limit The argument advanced concedes appropriate the public waters of the City, who shall comy on as agent, will be sixty days, enabling excursionthat if Judge Murphy had gone to State of Nevada, Such application to manager, what or proprietor, any isis to make side trips from City of Reno and entered the order in open the made it an Ash Campon creek at game of faro, rould ite, rondo, keno, Mexico to points of interest. On repoints in N E 1 of S W 14 of section or any other game not prohibited by turn trip, stopovers will be allowed at through the door into the chambers 10 T 15 Y 2 19 E by means of a dam the statutes of the State of Nevada, points on the main lines of Mexican and made it, it would have been void, and hearer a good five cubic feet per or who shall carry on or operate any Central, Santa Fe or Southern Pacinickle in-t. e. l. t-t achine, or was lic. An excursion manager will be in Section 2573 can and ought to be and pipe and there used to generate ing game played with cards, dice or Round trip rate from San Francisco

#### ---Liberal Offer.

same room or apartment, whether price of disc records (either Victor by the same or d derent owners, each or Columbia), to take effect immegame so carried up shall be separate. diately, will be as follows until fur-

Ten inch disks formerly 70 ceats

now 35c. Take advantage of this of-C. W. FRIEND.

#### Notice to Hurtetrs.

and all other ordinances or parts of person found hunting without a permit Ordinances in so far as they conflict to the combine owned by Theodore with the providence of this Ordi- winters, win be prosecuted. A linited number of permits vill be sold President of the Board of City Trus, at \$5 for the season or 50 cents for one day.

#### OFFICE COUNTY AUDITOR to the Honorable, the Board of Count

ty Commissioners, Gentlemen: In compliance with the law, ? herewith submit my quarterly report showing receipts and dishursements of Ormely County, during the quarter energy Dec. 30, 1905.

#### Quarterly Report. Ormsby County, Nevada.

Receipts. Filed Feb. 1, 1906. Balane in County Treasury at end of last quarter ... \$40023 364 Gaming licenses ............1957 50 Fee of Co. officers...........531 44 Rent of county bldg.......250 0 1st Instalment taxes.....14924 21% Special school tax...........1710 90% Slot machine license......282 00 Cigarette license ...........42 36 ' Semi-Annual Set. State Treas 531 78 5,345,987 14 Delinquent taxes............23 8012 

Total Disbursements. 3.924.107 32 Agl Assn. Bond Fund, Series Agl. Assn. Bond Fund, Series B \$100,00 ......400 00 Co. School Fund. Dist. 1.....388 95 Co. School fund. Dist. 2......151 20 Co. School fund Dist. 3......30 70 Co School Fund Dist. 4.....24 00 State School fund, Dist. 1. 2605 00

State school fund, Dist 2...160 00 State School fund, dist.3 ... 120 00 State School fund, Dist 4 ... 165 00 Special building ........5850 00 School library, No. 2.........86 0f 21,968 59% Total Re pitulation. Cash in Treasury October 1905 

Receipts from Oct. 1st to Dec. 30, 1905 ..... 21054 00% Disbursements from Oct. 1st to Dec 30, 1905 ......21968 5916 Balonce cash in County Treas. January 1, 1906...... 29108 7758

H. DIETERICH. County Auditor, Recapitulation 

Co. Schood Dist. 1, fund .. 7638 221/2 Co. School Dist, 2, fund.....139 64 State School Dist. 2, fund.....77 51

State School Dist. 3, fund...371 35 Those who wish to be first in State School Dist 4, fund......19 22 Agl. Assn Fund Special... 1918 94

> Co. School Dist. fund 1, library Co School Dist. fund 3, library

...... 6 5.0

Co. School Dist fund 4, library ...... 10

Tetal

M. B. VAN ETTEN County Treasurer

39108 71%